

HOUSE BILL NO. 408

INTRODUCED BY T. SCHMIDT

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING WHAT CONSTITUTES AN OBSTRUCTION THAT A BOARD OF COUNTY COMMISSIONERS IS REQUIRED TO REMOVE FROM A COUNTY ROAD; AND AMENDING SECTION 7-14-2133, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 7-14-2133, MCA, is amended to read:

"7-14-2133. Removal of obstructions on county roads. (1) ~~Whenever any~~ When a county road becomes obstructed, the board of county commissioners, or the county surveyor if ~~he~~ the surveyor is in charge, shall remove the obstruction upon being notified ~~thereof~~ of the obstruction.

(2) ~~Nothing in this section shall be construed as holding~~ This section does not hold the board or any member responsible or liable for anything other than willful, intentional neglect or failure to act.

(3) For the purposes of this section, "obstruction" means an obstacle, such as a rock or a fallen tree, that, if not removed, would remain in the road indefinitely. The word does not mean snow, ice, or any other obstacle that will melt or dissipate on its own accord.

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